

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MELYSSA J. HITCHCOCK,

Plaintiff,

V.

CAROLYN COLVIN, Acting Commissioner of Social Security,

Defendant.

Case No. 2:13-CV-00974-JCC-BAT

REPORT AND RECOMMENDATION

Melyssa J. Hitchcock brought an action seeking review of the denial of her application for disability benefits. Dkt. 1. The parties have filed a stipulated motion to reverse and remand the case, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings. Dkt. 19.

On remand, for the period prior to plaintiff's date last insured for Title II benefits, the Administrative Law Judge ("ALJ") should:

- (1) Consider any new and material medical evidence relevant to the period at issue;
- (2) Reevaluate the medical evidence, including the medical opinion evidence from Dana Shaw, M.D., and Nicola Walker, M.D.; if necessary, obtain clarification of the medical opinions and if any portion of the opinion evidence is discounted, the ALJ will state the reasons for discounting the opinion;

1 (3) Reevaluate the claimant's credibility in accordance with Social Security Ruling
2 96-7p;
3 (4) Reevaluate the lay evidence;
4 (5) Reevaluate the maximum residual functional capacity ("RFC") and provide
5 appropriate rationale with specific reference to evidence of record in support of
6 the assessed limitations; and
7 (6) If necessary, obtain supplemental vocational expert testimony regarding the
8 plaintiff's ability to perform past relevant work or, alternatively, work that exists
9 in significant numbers in the national economy and ensure that the vocational
10 expert testimony does not conflict with the Dictionary of Occupational Titles in
11 accordance with Social Security Ruling 00-4p.

12 The parties stipulate that plaintiff is entitled to reasonable attorney fees, expenses, and costs
13 pursuant to 28 U.S.C. § 2412, upon proper request to this Court.

14 The Court has reviewed the motion and record, and recommends the case be
15 **REVERSED** and **REMANDED** for further administrative proceedings pursuant to the terms of
16 the parties' stipulated motion. As the parties stipulate to remand, the Court recommends if this
17 recommendation is adopted, that it be approved immediately. A proposed order accompanies
18 this Report and Recommendation. The Clerk shall note the matter for **March 14, 2014**, as ready
19 for the District Judge's review.

20 DATED this 14th day of March, 2014.

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23 BRIAN A. TSUCHIDA
United States Magistrate Judge